

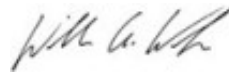
NO. 5:09-CR-00198-FL-1
NO. 5:11-CV-00392-FL

Respondent.

In her order filed March 5, 2012, Judge Flanagan determined that the FSA did not apply to Gill, and that he would not be resentenced on that basis. (DE-58). Judge Flanagan recommitted Gill's claims of ineffective assistance of counsel to the undersigned. As the Court has not resentenced Gill, the undersigned hereby directs the government to file, on or before March 19,

2012, a supplemental memorandum informing the Court of its position on Gill's claim of ineffective assistance of counsel based on the alleged failure of his attorney to file a notice of appeal. Petitioner may provide a written response to the government's filing on or before March 26, 2012.

DONE AND ORDERED in Chambers at Raleigh, North Carolina on Monday, March 5, 2012.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE